

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:18 CR 831 CDP-2
)	
JANA STOWERS,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

On June 4, 2024, defendant Jana Stowers filed a document captioned “Motion for Sentence Reduction 3582 / Motion for Ineffective Counsel 2255” (ECF 138) in which she seeks to “reopen” this closed criminal case based on the following assertions: that she is actually innocent of the criminal offense of which she was convicted; that the victim was coerced into making statements against her; that proper discovery and witness statements would show that she did not participate in the crime; and that she received ineffective assistance of counsel in the case. Based on the claims raised, I construe Stowers’ motion as one to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. I will therefore direct the Clerk of Court to terminate the motion in this criminal case and cause it to be filed as a new civil action under § 2255. Pursuant to Local Rule 2.06(A), I will direct the Clerk to provide Stowers with a standard Court form for § 2255 motions. Stowers will have thirty (30) days from the date of this Order to file an amended motion to vacate on the

Court-provided form, with the amended motion to be filed in the new civil case.

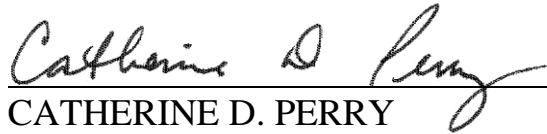
Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall terminate the motion docketed at ECF 138 in this criminal case and cause the motion to be filed **forthwith** as a new civil action under 28 U.S.C. § 2255.

IT IS FURTHER ORDERED that upon opening the new civil action, the Clerk of Court shall mail to Jana Stowers a copy of the Court's form "Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence by a person in federal custody."

IT IS FURTHER ORDERED that Stowers shall file an amended motion to vacate on the Court-provided form within thirty (30) days of the date of this Order. Failure to timely comply with this Order may result in the dismissal of the civil action without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court shall docket this Order in this criminal case and in the new civil action to be opened as directed by this Order.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of July, 2024.